

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61368 of 2021

Arising Out of PS. Case No.-200 Year-2019 Thana- JHANJHARPUR District- Madhubani

Meghnad Paswan @ Meghnath Ram @ Meghnath Paswan @ Meghanath Paswan Son of Hira Paswan Resident of Village- Bel Mohan, P.S.- Phulparas, District- Madhubani. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha, Advocate
For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-04-2022 Heard counsel for the parties.

The petitioner is in judicial custody in connection with Jhanjharpur P.S. Case No. 200 of 2019 under sections 399, 400 and 402 of the Indian Penal Code.

As per the allegation, the SHO, Jhanjharpur alleged that he got information that two criminals were apprehended by the villagers and upon enquiry it was revealed that one of their accomplices died while making bomb and they were trying to dispose of the body. Further allegation in the FIR is that they were preparing for committing dacoity.

Learned counsel for the petitioner submits that although his name has been cropped up in the FIR, he has not been arrested from the place of occurrence. He has further submitted that he is in jail since 27.5.2020 (as stated in para-8 of the bail application) and further the charge-sheet has already



been submitted, he deserves bail. He has further drawn attention to this Court some orders relating to the case in hand in which the different coordinate benches of this Court have been pleased to grant the privilege of bail to Mithun Paswan (Cr. Misc. No. 19203 of 2021), Heera Kumar Paswan (Cr. Misc. No. 37889 of 2021) and Mustakin @ Israfil (Cr. Misc. No. 20718 of 2021).

Let these orders be kept on record.

Considering the aforesaid facts also that the charge-sheet has already been submitted and the petitioner has almost completed two years in jail; this Court is inclined to grant him the privilege of bail. However, since this petitioner has criminal antecedent inasmuch as 13 cases are alleged to have been registered against him (as evident from para-3 of the bail application), certain conditions need to be imposed while releasing him on bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge, Jhanjharpur, Madhubani, in S.T. No. 87 of 2021 arising out of Jhanjharpur P.S. Case No. 200 of 2019 subject to the following conditions:-



(i) the learned Trial Court shall check the criminal antecedent of the petitioner and if it is found that he has suppressed the fact and do have criminal antecedent, this order shall become infructuous;

(ii) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall take steps for cancellation of his bail bonds.

With the aforesaid observation, the bail application is allowed.

(Rajiv Roy, J)

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